

**REMARKS**

An Office Action was mailed on December 17, 2004. Please extend the time to respond by at least one month.

Claims 1-23 are pending, of which claims 1, 3, 10, and 12 are independent claims.

By the foregoing, claims 1-16 and 19-21 are amended and claim 18 is cancelled. No new matter is added.

Claims 1-7, 11, 13-16, and 19-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,782,190 to Morita ("Morita"). Claims 8-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Morita in view of U.S. Patent No. 6,222,800 to Miller ("Miller").

The present invention is directed toward ensuring that the media onto which a recording is initially made is identifiable as such. More specifically the invention is directed to providing legal proof that the disk that is authenticated is the one and only "original", since only that is customarily admissible under rules of evidence, such as the Federal Rules of Evidence, and that its contents have not been "doctored" or manipulated.

As claimed now by independent claims 1 and 3, claims 1 and 3 are a method for authenticating the recording of digital video signals. Claim 1 requires the step of imprinting the exclusive code onto a label of the fresh disk by the code imprinter, the label being disposed on a side opposite wherein digital video signals are recorded.

Furthermore, claim 1 requires the step of generating coded signal commensurate with said exclusive code and mixing said coded signals with said digital video signals. In other words, as taught in the specification at page 7, lines 24 et al., *"The system control 40 also generates the imprinted coded information 5C, and mixes commensurating coded signals into the recording of the pictures signals which ties together the physical imprint of the disk to the contained recorded signals."*

The Examiner concedes that Morita does not teach, disclose, or suggest imprinting of a code onto a fresh disk (page 4, paragraph 2 of the Office Action), but finds that it would have been obvious for someone to place, presumably write a code, onto a label which would then be attached to the disk. However, this misses the point that the rules of evidence seek to avoid and which the present invention elegantly solves. Since each disk is appears alike in every physical respect, size, shape, color, etc., an attorney offering into evidence the disk for the video data that is recorded would need to obtain witness testimony when the disk was recorded. The witness would be required to recall the process that he or she undertook to record the disk, but would also truthfully have testify that he or she could not tell the difference between that disk to be entered and any other disk. Marking the disk and/or marking a label may obviate that aspect, but would only indicate that the physical disk was the same but not indicate that the video data recorded on the disk is unaltered.

Accepting *in arguendo* that Morita teaches embedding a code into the video signal and accepting *in arguendo* that marking a disk is well know, neither Morita nor any other reference or combination of references teaches, discloses, or suggests a label having a code wherein the code on the label and the coded signal in the data recording are commensurate.

Extending the argument further, a manual recording wherein a code embedded into the video signal and a disk label are associated on a list leads to the kind of sloppy record keeping that require witness testimony to authenticate and has a high error rate. Furthermore, a manual recording wherein a code embedded into the video signal and a disk label are associated on a list fails to appreciate that a disk recorded with a video signal in accordance with the claimed invention is self contained, i.e. all information is directly associated with each other on the disk itself. Thus, neither Morita nor any other references teach, disclose, or suggest the presently claimed invention. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

Claim 3 requires the steps of reading said exclusive code of said coded disk, which is encoded on a label, by the code reader and generating coded signals commensurate with said exclusive code using the code generating and mixing means.

Neither Morito nor any combination of other cited references teach, disclose, or suggest a separate reading device to read the coded disk, imprinted with the code on the label side of the disk, and generating an coded signal mixed with the recorded video signal. Therein, Morito appears to teach, disclose, or suggest only a reading head for digitally recorded data, but not for reading the exclusive code of the label of the disk. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

Independent claims 10 and 12, as now claimed, are directed to a disk feeder apparatus for recording and authenticating digital video signals. Claim 10 comprises an imprinting means for imprinting an exclusive code on a label of a fresh disk, wherein the label is disposed opposite to a digital video signal data recording surface of the disk. Claim 12 comprises a code reader for reading an exclusive code on a label of a coded disk, wherein the label is disposed opposite to a digital video signal data recording surface of the disk. Furthermore, each claim requires a generating and mixing means for generating coded signals commensurate with the exclusive code imprinted on the label and for mixing the coded signals with the digital video signal recorded on each disk.

Neither Morito, Miller or any other reference, by itself or in any combination, teach, disclose, or suggest an imprinting means and/or a code reading means for imprinting and/or reading the exclusive code, nor generating generating and mixing means for generating coded signals commensurate with the exclusive code imprinted on the label and for mixing the coded signals with the digital video signal recorded on each disk.

Therein, Morito appears to disclose only a read and/or write head for digitally recorded data, but fails to teach, disclose, or suggest reading and/or writing the exclusive code of the label of the disk. Miller appears to disclose an automatic labeling process for automatic duplication of data. Miller, however, does not teach, disclose, or suggest imprinting an exclusive code to the label, nor any means for generating coded signals commensurate with the exclusive code imprinted on the label.

The Examiner suggests that it would have been obvious to place the code onto the disk so that the disk is not misidentified. However, that is not the apparatus that is being claimed. In the claimed apparatus the exclusive code is placed on the label prior to the recordation of the video

signal at which time the coded signals that are commensurate with the exclusive code on the label are recorded. The manner suggested by the Examiner would require close attention by an operator of, for example, a video surveillance system to retrieve recorded disks, note the code, and either directly label the code correctly on the disk or instruct the machine disclosed by Miller to place the code directly. If the operator is distracted by a burglar, typically at exactly the time a recording is most valuable, it is easy for the code to be noted incorrectly or not at all to be associated with the disk.

Furthermore, as claimed by claims 10 and 12 the claimed apparatus comprises a collection compartment and disk recorder that comprises a sliding table, which also transports the recorded disk into the collection compartment. Morita does not teach, disclose, or suggest such a structure. The Examiner cites Miller for teaching this structure. Applicant has carefully considered the same, and respectfully disagrees. Miller discloses a pulley belt 68 that moves the disk longitudinally. Such a pulley belt as is well understood in the art would be inoperative in disk recorder where the disk must be free to turn while being recorded. Thus, Applicant most respectfully notes that Miller does not teach, disclose, or suggest the claimed structure that comprises a collection compartment and disk recorder that comprises a sliding table, which also transports the recorded disk into the collection compartment. Furthermore,

Absent impermissible hindsight, no motivation exists to modify Miller to generate a code, to combine Miller and Morita operatively to understand and use data to create an exclusive code and coded signal, to combine and/or modify Morita and Miller physically to be operative with each other so as to pass a disk between them to imprint an exclusive code on a label on a surface opposite the digital video signal data recording data surface and then generate and mix coded signals into the video signal and then transport the authenticated disk for deposit into a collection compartment.

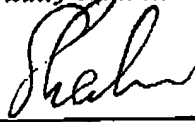
All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

Applicant believes that all issues of substance have been addressed in this response. Thus, passage of the case to allowance is respectfully requested. Should the Examiner have any

requests, questions or suggestions, the Examiner is invited to contact Applicant's attorney at the number listed below.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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Hassan A. Shakir  
Reg. No. 53,922  
(212) 940-6489

CUSTOMER NUMBER 026304

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